

## **Requests for internal and external training activities via the FRA training application**

The European Union Agency for Fundamental Rights (FRA or Agency) processes the personal data of a natural person in compliance with Regulation 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

This data protection notice explains FRA's policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

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### 1. Why do we collect personal data?

We collect the data in order to optimise the processing of training requests from staff and to make the procedure easier for both staff requesting training and staff responsible for handling the requests. All staff training requests, for both in-house and external training activities, will be submitted via a central platform built in SharePoint, which allows management to approve applications and HR to monitor budget, consumption of learning days and learning needs.

The principle behind it is the continuous development of the skill set, knowledge, and learning capacity of staff, to improve their performance and, consequently, the Agency's, as well as to keep pace with change.

### 2. What kind of personal data does the Agency collect?

We will collect only the following personal data necessary for the processing operation described above.

(a) General personal data:

- Personal details: e.g. name and surname
- Contact details: Agency e-mail address
- Education & Training details: The data you provide related to the training itself. Such data may reveal additional information on your education and training background or intentions.
- Employment details: unit (within FRA) and manager
- Other:
  - Professional skills and competences to be developed:
  - Personal data of natural persons providing the training could be processed when you submit the training request if the training provider is registered in the trainer's name.
  - A check box indicates whether the learning need was identified in the competency scan and/or CDP.

### 3. How do we collect your personal data?

The data will be collected via the dedicated training app, which is hosted within FRA's SharePoint site. All data will be stored in SharePoint. We collect only the personal data you provide us with by introducing your training request in the digital form, and the personal data of the staff members (name, surname, unit and manager) that appears immediately, since it is taken directly from the Microsoft account.

### 4. Who is responsible for processing your personal data?

The Agency is the legal entity responsible for the processing of your personal data and determines the objective of this processing activity. The Head of Corporate Services Unit is responsible for this processing operation.

### 5. Which is the legal basis for this processing operation?

Processing personal data in the context of training activities for staff is necessary for the management and functioning of the Agency and is in compliance with Article 24a of the EU Staff Regulations (applicable to

temporary and contract staff by virtue of Articles 11 and 81 CEOS), as well as EB Decision 2017/03 adopting implementing rules on learning and development, which require the Agency to provide learning and development opportunities to staff. Therefore, the processing is lawful under Article 5.1.(a) of the Regulation (EU) No 2018/1725.

Staff are informed through the data protection notice in the learning app of how their data will be processed and that, by submitting a request for training, they explicitly give consent to its processing. Therefore, the processing is also lawful under Article 5(1) d of Regulation 2018/1725 insofar it is based on the consent given by the applicant.

#### **6. Who can see your data?**

- Your manager, i.e. the Director or your Head of Unit, for the approval or rejection of the training activity request;
- The staff in Corporate Services in charge of training, on a need to know basis in order to check the availability of budget and learning days per staff member and to approve/reject the request;
- The Head of Corporate Services, for the final approval or rejection of the training activity request.
- IT staff members in charge of maintenance of the app.

#### **7. Do we share your data with other organisations?**

Personal data is processed by the Agency only. In case we need to share your data with third parties, you will be notified of with whom your personal data has been shared.

#### **8. Do we intend to transfer your personal data to Third Countries/International Organisations**

No

#### **9. When we will start the processing operation?**

We will start the processing operation when you submit your training request.

#### **10. How long do we keep your data?**

We keep data related to training requests for 10 years from the year of the training activity.

#### **11. How can you control your data?**

Under Regulation 2018/1725, you have rights we need to make you aware of. You are allowed to access, modify or delete your personal data. You are not required to pay any charges for exercising your rights except in cases where the requests are manifestly unfounded or excessive, in particular because of their repetitive character.

We will reply to your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

You can exercise your rights described below by sending an email request to [career@fra.europa.eu](mailto:career@fra.europa.eu).

### **11.1. The value of your consent**

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected when you elect to submit a request for a training activity via the training application. You have the right to withdraw your consent at any time, and we will delete your data or restrict its processing. All processing operations up until the withdrawal of consent will still be lawful. Your data protection rights

#### **a. Can you access your data?**

You have the right to receive information on whether we process your personal data or not, the purposes of the processing, the categories of personal data concerned, any recipients to whom the personal data have been disclosed and their storage period. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing. You can exercise your rights by sending an email to [career@fra.europa.eu](mailto:career@fra.europa.eu).

#### **b. Can you modify your data?**

You have the right to ask us to rectify your data you think is inaccurate or incomplete at any time. You can exercise your rights by sending an email to [career@fra.europa.eu](mailto:career@fra.europa.eu).

#### **c. Can you restrict us from processing your data?**

You have the right to restrict the processing of your personal data. If you do, we can no longer process them, but we can still store them. In some exceptional cases, we will still be able to use them (e.g. with your consent or for legal claims). You have this right in a few different situations: when you contest the accuracy of your personal data, when the Agency no longer needs the data for completing its tasks, when the processing activity is unlawful, and finally, when you have exercised your right to object. You can exercise your rights by sending an email to [career@fra.europa.eu](mailto:career@fra.europa.eu).

#### **d. Can you delete your data?**

You have the right to ask us to delete your data when the personal data are no longer necessary for the purposes for which they were collected, when you have withdrawn your consent or when the processing activity is unlawful. In certain occasions we will have to erase your data in order to comply with a legal obligation to which we are subject. You can exercise your rights by sending an email to [career@fra.europa.eu](mailto:career@fra.europa.eu).

We will notify to each recipient to whom your personal data have been disclosed of any rectification or erasure of personal data or restriction of processing carried out in accordance with the above rights unless this proves impossible or involves disproportionate effort from our side.

**e. Are you entitled to data portability?**

Data portability is a right guaranteed under Regulation 1725/2018 and consists in the right to have your personal data transmitted to you or directly to another controller of your choice.

In this case, this does not apply for two reasons: I) in order for this right to be guaranteed, the processing should be based on automated means, however we do not base our processing on any automated means; II) this processing operation is carried out in the public interest, which is an exception to the right to data portability in the Regulation.

**f. Do you have the right to object?**

When the legal base of the processing is “*necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body*” which is the case in most of our processing operations, you have the right to object at any time to the processing of your data. In case you object, we have to stop the processing of your personal data, unless we demonstrate a compelling reason that can override your objection. You can exercise your rights by sending an email to [career@fra.europa.eu](mailto:career@fra.europa.eu).

**g. Do we do automated decision making, including profiling?**

Your personal data will not be used for an automated decision-making including profiling.

**12. What security measures are taken to safeguard your personal data?**

The Agency has several security controls in place to protect your personal data from unauthorised access, use or disclosure. We keep your data stored on our internal servers with limited access to a specified audience only.

Access to data in SharePoint is restricted to the data subject, the staff member’s manager, the Head of Corporate Services and a limited number of staff in charge of training.

**13. What can you do in the event of a problem?**

a) The first step is to notify the Agency by sending an email to [career@fra.europa.eu](mailto:career@fra.europa.eu) and ask us to take action.

b) The second step, if you obtain no reply from us or if you are not satisfied with it, contact our Data Protection Officer (DPO) at [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu).

c) At any time you can lodge a complaint with the EDPS at <http://www.edps.europa.eu>, who will examine your request and adopt the necessary measures.

**14. How do we update our data protection notice?**

We keep our data protection notice under regular review to make sure it is up to date and accurate.

**END OF DOCUMENT**